

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/807,085

Applicant: BLAKE et al.

Filed: March 23, 2004

TC/AU: 3846

Examiner: Charles A. Fox

Docket No.: 213789 (Client Reference No. XP-0446-DIV)

Customer No.: 23460



TERMINAL DISCLAIMER UNDER 37 CFR 1.321

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Assignee, Agfa Corporation, is the owner of 100 percent interest in the above-identified application (hereinafter "the present application").

Pursuant to 37 CFR 3.73(b), the assignment of the present application from the inventors, or chain of title from the inventors, to the Assignee was recorded in the Patent and Trademark Office at Reel 8105, Frame 0606-0609, on July 31, 1996.

Also, pursuant to 37 CFR 3.73(b), the undersigned has reviewed all the evidentiary documents accompanying or referred to in this Terminal Disclaimer and, to the best of the undersigned's knowledge and belief, certifies that title is in the Assignee.

Assignee, through its attorneys and agents, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application that would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 of U.S. Patent Nos. 6,726,433; 6,113,346; 6,000,337; 5,992,324; 5,893,002; 5,809,360; 5,791,250; 5,788,455; 5,738,014; 5,655,452 (hereinafter "the prior patents"), as shortened by any terminal disclaimer filed prior to the grant of the prior patents. Assignee, through its attorneys and agents, further agrees that any patent granted on the present application shall be enforceable only for and during such period that its legal title is the same as the legal title to the prior patents, this agreement to run with any patent granted on the present application and to be binding upon the grantee, its successors, and assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term of the prior patents as defined in 35 USC 154 to 156 and 173 in the event the prior patents terminate prior to the expiration of its full statutory term as presently shortened

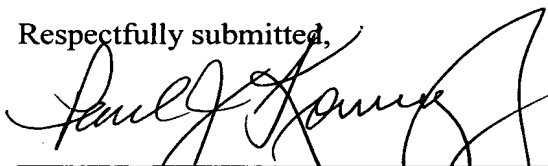
by any terminal disclaimer filed prior to the grant of the patent. Examples of such non-applicable termination of the prior patents are as follows: (1) prior patents expire for failure to pay a maintenance fee, (2) prior patents are held unenforceable, (3) prior patents are found invalid by a court of competent jurisdiction, (4) prior patents are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, (5) prior patents have all claims canceled by a reexamination certificate or reissuance, and (6) prior patents are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

In making this disclaimer, Assignee reserves the right to extend the term of any patent granted on the present application for a period of delay, in the event the delay is defined by statute and/or regulation as allowing, or providing for, an extension of term. This right is reserved in the event the prior patents terminate, or do not terminate, prior to the expiration of their full statutory term. Examples of such a delay include regulatory delay, and delay due to appellate review.

The undersigned is empowered to act on behalf of the Assignee.

The Commissioner is hereby authorized to charge to Deposit Account 12-1216 the fee of \$130.00 set forth in 37 CFR 1.20(d). A duplicate copy of this document is enclosed herewith for that purpose.

Respectfully submitted,



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Date: April 21, 2005

CERTIFICATE OF MAILING

I hereby certify that this TERMINAL DISCLAIMER (along with any documents referred to as attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Date: 4-21-05

